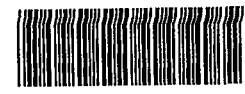


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AGREEMENT BETWEEN THE TERRITORY OF GUAM
AND
REGION 9 OF THE U.S. ENVIRONMENTAL PROTECTION AGENCY
FOR THE
FISCAL YEAR 1983

PART I - PURPOSE

The State/EPA Agreement for the Territory of Guam has been developed cooperatively by the Territory of Guam and the United States Environmental Protection Agency (EPA), Region 9. The intent of this Agreement is to set forth, in general terms, the mutual goals, priorities, activities, responsibilities and commitments of the Territory of Guam and the U.S. EPA for the Federal Fiscal Year 1983. The Governor of Guam and the Regional Administrator of EPA, Region 9 agree that this document will serve the following purposes:

1. Identification of mutually recognized priority environmental problems in the Territory of Guam.
2. Specification, at a general level, of the activities to be undertaken during FY-83 to address the identified priority problems, providing the basis for agreement for negotiating the detailed annual work program in the administration of air quality, water quality, solid and hazardous waste and pesticide programs in the Territory.
3. Strengthen lines of communication regarding environmental priorities.
4. Encouragement for integrating various program activities to address multi-media environmental problems.

PART II - MAJOR ACTIVITIES

A. PRIORITY PROBLEMS AND ACTIVITIES

The Government of Guam and EPA Region 9 have reviewed and assessed the environmental problems of the Territory of Guam and have jointly identified certain priority problems which the Guam Environmental Protection Agency (GEPA) and other agencies will address during FY-83. These priority problems are identified in paragraphs 1 through 7 below. Under each environmental problem are listed the specific activities which will be undertaken to address the identified environmental problems.

Three major criteria have been used to establish these priorities. The criteria are: (1) degree of any pollution problem, (2) status of the program(s) which address the problem, and (3) availability of resources.

1. Groundwater

Groundwater degradation of the principal source aquifer may be presently occurring, or may occur in the future due to land-use activities, over-drafting, contamination and sewage. GEPA activities to control, monitor and prevent groundwater degradation shall continue to be the highest priority for FY-83. The priority activities GEPA will undertake are as follows:

- a. The "Northern Guam Lens Study" will continue to have the highest priority. This major activity will serve to assist in evaluating the nature of the Northern Groundwater System, determining its maximum sustainable capacity, possibility of mass transport of contaminants, and developing a strategy for management of groundwater protection activities, to be known as the Groundwater Management Plan. Upon conclusion of the Study in December, 1982, the Governor shall strongly consider certifying the Groundwater Management Plan prior to transmittal to EPA for approval. Upon certification, GEPA will begin implementation of the Plan's recommendations, including the proposed revisions in local laws and regulations to strengthen the protection of the Northern Groundwater System.
- b. GEPA will continue to implement the activities outlined in USEPA/GEPA memorandum of Understanding concerning the review and monitoring of projects in the Northern Groundwater System area.
- c. GEPA shall initiate implementation of an Underground Injection Control Program as defined in the Safe Drinking Water Act and in regulations promulgated by USEPA and GEPA.

2. Domestic Wastes and Water Supply

Potential danger to public health due to inadequate treatment, disposal methods, and operation and maintenance deficiencies remains a major priority to be addressed on Guam.

Priority Activities for the Public Utility Agency of Guam (PUAG)

- a. PUAG shall assume an efficient and effective management role over the construction of appropriate sewerage facilities.
- b. The Comprehensive Operation and Maintenance (O & M) Management Plan for sewerage facilities shall be implemented by PUAG with the assistance of GEPA. Activities to be implemented include, but are not limited to:
 - (1) Upgrading position descriptions,
 - (2) Participating in the Guam Community College wastewater operation training program,

- (3) Developing an Agency Training Plan.
- (4) Improving job safety procedures.
- (5) Completing a spare parts inventory,
- (6) Developing an island wide maintenance plan for PUAG pump stations, and
- (7) Resolving any discrepancies with the file keeping system.
- c. PUAG will expand the O & M Management Plan to incorporate water supply considerations.

Priority Activities for GEPA

- a. GEPA shall continue its administration and oversight responsibilities of Guam's Wastewater Construction Grants (201) Program. Activities will include:
 - (1) Maintaining a lead on all activities related to construction grants on Guam,
 - (2) Developing the annual priority list system and list,
 - (3) Providing on-site inspection of construction grants projects, and
 - (4) Conducting the NPDES inspection and local enforcement program.
- b. GEPA shall continue to implement primary enforcement responsibility (primacy) as defined in the Safe Drinking Water Act and in regulations promulgated by USEPA and GEPA.
- c. GEPA shall continue its local permitting and enforcement activities of individual on-site wastewater systems.

3. Solid and Hazardous Waste Disposal, Emergency/Remedial Response

The development and implementation of solid waste and hazardous waste management programs shall continue to be a high priority on Guam. Potential danger to public health exists with present landfill disposal operation, PCB and oil storage facilities, and pesticide application and disposal. Major activities to be undertaken by GEPA for FY-83 are listed below:

- a. A specific number of RCRA compliance and PCB inspections will be conducted.
- b. Active and inactive hazardous waste disposal sites will continue to be monitored by GEPA.

- c. GEPA will assist USEPA in developing appropriate remedial response actions for Guam's designated Superfund site, the Ordot Dump.
- d. Phase I interim authorization activities for the hazardous waste management program will be implemented.
- e. GEPA will continue development of Guam's existing hazardous waste regulations to meet Federal requirements to seek full authorization of the program.
- f. The Government of Guam's emergency response plan will be updated based on the final National Contingency Plan.
- g. GEPA will continue to administer the Spill Prevention Control and Countermeasure Plans program, as described in the USEPA/GEPA Memorandum of Understanding regarding Oil Pollution Prevention Regulations.
- h. The applicator certification program for pesticides will continue to be implemented.
- i. GEPA will continue development and implementation of the pesticides enforcement program pursuant to the Cooperative Agreement between USEPA and GEPA.

4. Nonpoint Sources

Nonpoint pollution sources are a problem, particularly in urban storm runoff, erosion from construction activities, agricultural runoff, landfill sites and oil spills. Therefore, it is essential that GEPA continues to implement and further refine the Guam Water Quality Management Plan which serves as the overall framework for water pollution control in the Territory of Guam.

5. Air

The air quality is generally good, but there is one area (Piti/Cabras) for which GEPA is developing a SIP revision to demonstrate attainment of the National Ambient Air Quality Standards (NAAQS) for sulfur dioxide (SO₂). Activities to be undertaken by GEPA in FY-83 include:

- a. Continue to investigate a cost-effective means for meeting requirements under the Clean Air Act applicable to the Tanguisson power plant SO₂ sources. GEPA will conduct a monitoring study and may develop an SO₂ control strategy based upon the results of the study.
- b. Continue to implement a comprehensive air program on Guam which includes permitting, air quality monitoring, and enforcement of local and Federal air standards.

6. Institutional

In order to fully implement the environmental programs, institutions must have the capability to effectively administer the programs. Areas that require additional efforts are discussed below.

- a. GEPA - efficient enforcement within a single layer of government; staffing vacancies within a reasonable amount of time with capable replacements.

7. Public Participation

Participation of the general public, elected and appointed officials in the continued development and implementation of Guam environmental quality management programs shall be a high priority. Coupled with this shall be an effort directed toward education of the public on environmental problems and available programs to deal with them.

B. GENERAL RESPONSIBILITIES AND COMMITMENTS

GEPA will serve as the primary agent for development and implementation of the environmental quality management program. GEPA will also coordinate all Territorial governmental agencies in matters concerning environmental quality.

PUAG will continue to serve as the grantee for the Wastewater Construction grants program. In this role they will manage the planning, design, and construction steps of the program. The USEPA shall provide financial support to GEPA for environmental quality management programs to the extent permitted by Federal law and appropriations. This support shall be based upon EPA's review and approval of the Agency's annual grant application and work program, in accordance with EPA's Consolidated Grant Guidelines. The USEPA shall also provide grants to PUAG for approved construction grant projects. The USEPA shall provide technical and managerial assistance as requested and as resources permit.

PART III - OTHER PROVISIONS

A. ANNUAL WORK PROGRAMS

This Agreement identifies certain priority activities to be initiated or continued by the Territory of Guam and EPA during FY-83. Annual work programs for grants awarded by EPA to the Territory of Guam under the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Safe Drinking Water Act and the Federal Insecticide, Fungicide and Rodenticide Act shall reflect the priorities established in this Agreement.

B. INCORPORATION OF OTHER MATERIAL

Incorporated into this Agreement by references are all annual work programs cited in Section A above and all Responsiveness Summaries prepared in development of this Agreement as required by 40 CFR Part 25.

C. AMENDMENT OF AGREEMENT

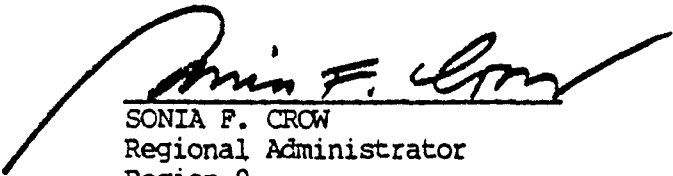
This Agreement may be amended at any time, except as limited by applicable law or regulation.


D. EFFECTIVE DATE

This Agreement shall be effective upon signature by all parties and shall remain effective until it is superseded by a new Agreement or until September 30, 1983, whichever is earlier.

For the U. S. Environmental
Protection Agency

For the U. S. Territory of
GUAM


SONIA F. CROW
Regional Administrator
Region 9

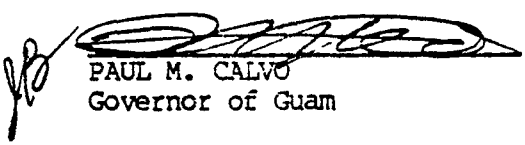

WILLIAM McALISTER
Chairman, Board of Directors
Guam Environmental Protection
Agency

Date

Aug. 12, 1982

Date

JUL 23 1982


PAUL M. CALVO
Governor of Guam

Date

7/25/82